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Atty. Dkt. No. 029849-0208

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Vaillant and Juteau

Title: METHODS OF IDENTIFYING
ANTIVIRAL
OLIGONUCLEOTIDES

Appl. No.: 10/661,355

Filing Date: 09/12/2003

Examiner:

Art Unit: 1645

CERTIFICATE OF MAILING

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INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

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Sir:

I The USPTO has waived the requirement under 37 CFR 1.98(a)(2)(i) to submit copies of U.S. patents and U.S. patent application publications when citing and submitting an Information Disclosure Statements in a patent application filed after June 30, 2003 and in an international application that has entered the national stage under 37 USC §371 after June 30, 2003.

Accordingly, copies of these types of documents are not being supplied in connection with this application. Reference is being made to OG Notice dated August 5, 2003, *Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003.*

Applicants submit herewith on Form PTO/SB/08 a listing of the documents cited by or submitted to the U.S. PTO in related application Serial No. 10/661,403 filed 09/12/2003. As provided in 37 CFR §1.98(d), copies of the documents are not being provided since they were

previously submitted to the United States Patent & Trademark Office in that application and are on file with the USPTO.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

RELEVANCE OF EACH DOCUMENT

The relevance of the foreign-language document is explained in the related application.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

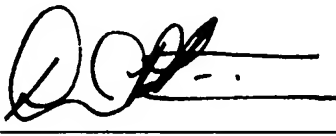
The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even

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Respectfully submitted,

Date November 23, 2004

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By 

David P. Lentini
Attorney for Applicant
Registration No. 33,944



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Substitute for form 1240B/PTO

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| Application Number | 10/661,355 |
| Filing Date | 09/12/2003 |
| First Named Inventor | Andrew Vaillant |
| Group Art Unit | 1645 |
| Examiner Name | |
| Attorney Docket Number | 029849-0208 |

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| Sheet | 1 | of | 13 |
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| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ⁶ |
|--------------------|-----------------------|--|----------------|
| | A2 | AGRAWAL and KANDIMALLA, "Antisense and/or Immunostimulatory Oligonucleotide Therapeutics," <i>Current Cancer Drug Targets</i> 1:197-209 (2001) | |
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Date
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| NON PATENT LITERATURE DOCUMENTS | | | | |
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| | A5 | BERKOW, <i>et al.</i> , "Nonsteroidal Anti-Inflammatory Drugs (NSAIDs)," <i>The Merck Manual of Diagnosis and Therapy</i> , 15 th ed., 2499-2506 and 46-49 (1987) | | |
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| | A15 | Du PLESSIS, <i>et al.</i> , "Topical Delivery of Liposomally Encapsulated Gamma-Interferon," <i>Antivir. Res.</i> 18:259-265 (1992) | | | |
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| | A23 | HIGUCHI, <i>et al.</i> , "Particle Phenomena and Course Dispersions," <i>Remington's Pharmaceutical Sciences</i> 21:301-329 (1985) | |
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| | A31 | KANDIMALLA, <i>et al.</i> , "Effects of Phosphorothioate Oligodeoxyribonucleotide and Oligoribonucleotides on Human Complement and Coagulation," <i>Bioorg. & Med. Chem. Lett.</i> 8:2103-2108 (1998) | | |
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| | A39 | LERNER, <i>et al.</i> , "A Six-Month Trial of Valacyclovir in the Epstein-Barr Virus Subset of Chronic Fatigue Syndrome: Improvement in Left Ventricular Function," <i>Drugs of Today</i> 38(8): 549-561 (2002) | |
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| | | | | First Named Inventor | |
| | | | | Andrew Vaillant | |
| Group Art Unit | | | | 1645 | |
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